

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF WISCONSIN**

ESTATE OF LALIAH SWAYZER, *et al.*,

Plaintiffs,

v.

Case No. 16-CV-1703

DAVID A. CLARKE, JR., *et al.*,

Defendants.

**PLAINTIFFS' UNOPPOSED MOTION FOR LEAVE TO FILE AN OVERSIZED
RESPONSE BRIEF**

NOW COME the Plaintiffs, the Estate of Laliah Swayzer and Shade Swayzer, by their attorneys, Judge Lang & Katers, LLC and Gende Law Office, S.C., hereby move the Court to allow them to file an oversized brief in Response to County Defendant's motion for summary judgment. In support of this motion, Plaintiffs submit the following:

1. On June 26, 2019, Plaintiffs filed their Fourth Amended Complaint (Doc. No. 313).
2. On August 19, 2019, County Defendants' filed a motion for Leave to file Oversized Brief in support of their motion for summary judgment, requesting to file a brief 62 pages in length (excluding the caption, table of contents, and signature blocks). (D. 333).
3. This Court issued an Order granting County Defendants motion for leave on August 19, 2019. (D. 346).
4. County Defendants subsequently filed their 65 page brief in support of their motion for summary judgment on August 19, 2019. (D. 355).
5. Local Rule 56(b)(8)(A) states that the page limit for a memorandum in opposition to a motion for summary judgment is thirty (30) pages.

6. In order to fairly address County Defendants' oversized brief, Plaintiffs request the same number of pages (62 pages in length, excluding the caption, table of contents, and signature blocks) in which to respond to County Defendants' summary judgment pleadings.

7. Good cause exists for extending the limitations on the number of pages contained in the memorandum in opposition to County Defendants' motion for summary judgment.

8. Plaintiffs' counsel has conferred with County Defendants' counsel Douglas Knott regarding Plaintiffs' request for leave. Mr. Knott has indicated that there is no objection to Plaintiffs' request for leave to file an oversized brief in response.

9. Counsel certifies pursuant to Local Rule 7(a)(2) that no papers or affidavits will be filed in support of this motion.

WHEREFORE, the Plaintiffs respectfully request the Court to grant their motion for leave to file an oversized brief in opposition to County Defendants' motion for summary judgment.

Respectfully submitted,

Submitted this 15th of October, 2019 by:

s/ David J. Lang _____
David J. Lang
Christopher Katers
Kevin Raasch
Judge Lang & Katers, LLC
8112 W. Bluemound Rd. Ste. 101
Wauwatosa, WI 53213
P: (414) 777-0778
dlang@jlk-law.com
ckaters@jlk-law.com
kraasch@jlk-law.com
Attorneys for Plaintiff

And

s/ James J. Gende, II

James J. Gende, II

GENDE LAW OFFICES SC

N28 W23000 Roundy Drive, Suite 200

Pewaukee, WI 53072

(262) 970-8500 Phone

(262) 970-7100 Fax

jgende@jamesgendelaw.com

Attorneys for Plaintiffs